

BS01377

U.S. Application No. 10/020,770 Art Unit 3622
Submission of Amendment with RCE in Response to April 20, 2006 Final Office Action

AMENDMENT TO THE CLAIMS

1. (Currently Amended) An advertisement management method, comprising:

~~receiving scheduling~~ programming content ~~delivered as a scheduled lineup having~~
~~an advertisement inserted into a future that includes an~~ advertisement time slot;

~~inserting an advertisement into the advertisement time slot;~~

categorizing the prescheduled advertisement as at least one of an overrideable advertisement and a non-overrideable advertisement, wherein the overrideable advertisement is replaceable with another advertisement, and wherein the non-overrideable advertisement is not replaceable and will be delivered as scheduled;

receiving an advertiser's request ~~from an advertiser~~ to replace the prescheduled
~~any overrideable~~ advertisement with a different another advertisement;

determining whether the prescheduled advertisement is categorized as overrideable; and

if the prescheduled advertisement is categorized as an overrideable advertisement, then replacing the prescheduled advertisement with the different another advertisement.

2. (Currently Amended) The method of claim 1, further comprising receiving wherein the
~~advertiser pays~~ a premium to replace the scheduled ~~an~~ overrideable advertisement.
3. (Currently Amended) The method of claim 1, wherein the an overrideable advertisement is priced at a lower cost than the scheduled ~~a~~ non-overrideable advertisement.
4. (Currently Amended) The method of claim 1, wherein the request to replace the advertisement with the different another advertisement is based upon data obtained using ratings system technology that tracks program viewing activities for the purpose of identifying most-valuable and least-valuable potential consumers.

BS01377

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5. (Currently Amended) The method of claim 1, further comprising broadcasting the ~~scheduled~~ programming content, including the different ~~another~~ advertisement, to potential consumers.
6. (Currently Amended) The method of claim 5, wherein broadcasting the ~~scheduled~~ programming content comprises at least one of: broadcasting the ~~scheduled~~ programming content as a television broadcast, broadcasting the ~~scheduled~~ programming content as a radio broadcast, and broadcasting the ~~scheduled~~ programming content over a network.
7. (Cancel)
8. (Previously Presented) The method of claim 1, wherein the request to replace the advertisement is based upon data obtained using marketing tools comprising at least one of: ratings systems that track program viewing activities by sampling a plurality of households and estimating the number of viewers of the programs using viewing activity data, focus groups that study the effectiveness of different types advertisements, and product sales reports.
9. (Currently Amended) An advertisement management method, comprising:

receiving ~~scheduling~~ programming content ~~delivered as a scheduled lineup having a first advertisement inserted into a future~~ that includes an advertisement time slot;

~~inserting a first advertisement into the advertisement time slot such that the first advertisement is scheduled for broadcast delivery;~~

categorizing the first prescheduled advertisement as one of: an overrideable advertisement and a non-overrideable advertisement, wherein the overrideable advertisement is replaceable with another advertisement, and wherein the non-overrideable advertisement is not replaceable and will be delivered as scheduled;

receiving an advertiser's request at a server a request from an advertiser to replace the ~~scheduled~~ first prescheduled advertisement with a second advertisement;

BS01377

U.S. Application No. 10/020,770 Art Unit 3622
Submission of Amendment with RCE in Response to April 20, 2006 Final Office Action

determining whether the ~~scheduled~~ first prescheduled advertisement is categorized as overrideable; and

if the first prescheduled advertisement is categorized as overrideable, then replacing the first prescheduled advertisement with the second advertisement.

10. (Cancel)
11. (Currently Amended) The method of claim 9, further comprising receiving a premium wherein the advertiser pays a premium to replace the scheduled an overrideable advertisement.
12. (Currently Amended) The method of claim 9, further comprising pricing the an overrideable advertisement at a lower cost than the scheduled a non-overrideable advertisement.
13. (Previously Presented) The method of claim 9, wherein receiving the request to replace the first advertisement with the second advertisement is based upon data obtained using ratings system technology that tracks program viewing activities for the purpose of identifying most-valuable and least-valuable potential consumers.
14. (Currently Amended) The method of claim 9, further comprising broadcasting the ~~scheduled~~ programming content including the second advertisement.
15. (Currently Amended) The method of claim 14, wherein broadcasting the scheduled programming content comprises at least one of: broadcasting the scheduled programming content as a television broadcast, broadcasting the scheduled programming content as a radio broadcast, and broadcasting the scheduled programming content over a network.
16. (Cancel)

BS01377

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17. (Currently Amended) A system for managing advertisement programming, comprising:
- a processor communicating with memory;
 - wherein the processor receives programming content delivered as a scheduled lineup having an advertisement inserted into a future schedule ~~schedules programming content that includes an advertisement time slot;~~
 - ~~the processor inserts an advertisement into the advertisement time slot;~~
 - the processor categorizes the prescheduled advertisement as at least one of: an overrideable advertisement and a non-overrideable advertisement, wherein the overrideable advertisement is replaceable with another advertisement, and wherein the non-overrideable advertisement is not replaceable and will be delivered as scheduled;
 - the processor receives an advertiser's request ~~from an advertiser~~ to replace the prescheduled ~~any overrideable~~ advertisement with a different ~~another~~ advertisement;
 - the processor determines whether the prescheduled advertisement is categorized as overrideable; and
 - if the prescheduled advertisement is categorized as an overrideable advertisement, then the processor replaces the prescheduled advertisement with the different ~~another~~ advertisement.
18. (Currently Amended) The system of claim 17, wherein the system receives ~~advertiser~~ pays a premium to replace the scheduled ~~an~~ overrideable advertisement.
19. (Currently Amended) The system of claim 17, wherein the ~~an~~ overrideable advertisement is priced at a lower cost than the scheduled ~~a~~ non-overrideable advertisement.
20. (Currently Amended) The system of claim 17, wherein the processor broadcasts the scheduled programming content including the different ~~another~~ advertisement.